

## § 1033.53

fraction thereof in excess of 70 miles that such plant is located from the city hall of the nearest city listed above. However, at any such plant located in the Louisville-Lexington-Evansville marketing area under part 1046 of this chapter or east of the Mississippi River and south of the northern boundary of Kentucky, West Virginia, or Virginia, the adjustment shall be the adjustment applicable at Zone 4;

(4) At a plant located outside the marketing area in the Ohio counties of Defiance, Paulding Van Wert, (except the city of Delphos), or Williams, the adjustment shall be minus 24 cents, and

(5) For the purpose of computing location adjustments pursuant to this section, distances shall be measured by the shortest hard-surfaced distance as determined by the market administrator.

(b) For the purpose of determining the quantity of Class I producer milk on which a location adjustment shall apply under paragraph (a) of this section, the quantity of fluid milk products transferred as Class I milk from pool plants to a pool distributing plant at which the Class I price is greater than the Class I price at the transferor plant shall be assigned pro rata with the receipts of producer milk at the transferee plant to the Class I milk remaining at such transferee plant after the assignments pursuant to §1033.44 (a)(1) through (a)(12) and the corresponding steps of §1033.44(b) plus the pounds of skim milk and butterfat in receipts of concentrated fluid milk products from other pool plants that are assigned to Class I use. The Class I utilization so assigned to the transferred fluid milk products then shall be allocated first to receipts from plants at which the Class I price is not less than the Class I price at the transferee plant, and then to receipts from plants with lower Class I prices, in sequence beginning with the plant having the highest Class I price.

(c) The Class I price applicable to other source milk shall be adjusted at

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the rates set forth in paragraph (a) of this section.

[40 FR 27464, June 30, 1975, as amended at 49 FR 36075, Sept. 14, 1984; 52 FR 3414, Feb. 4, 1987. Redesignated and amended at 58 FR 27821, May 11, 1993]

### §1033.53 Announcement of class and component prices.

The market administrator shall announce publicly on or before the fifth day of each month, the following:

(a) The Class I price for the following month;

(b) The Class II price for the following month;

(c) The Class III and Class III-A prices for the preceding month;

(d) The butterfat differential for the preceding month;

(e) The butterfat price, the milk protein price, and the skim milk price computed pursuant to §1033.50(d), (e) and (f) for the preceding month; and

(f) The monthly average price for 40-pound blocks of cheese at the National Cheese Exchange (Green Bay, Wisconsin) for the preceding month.

[58 FR 43507, Aug. 17, 1993, as amended at 58 FR 63287, Dec. 1, 1993; 60 FR 6609, Feb. 2, 1995]

### §1033.54 Use of equivalent prices.

If for any reason a price quotation or factor required by this part for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price or factor determined by the Secretary to be equivalent to the price or factor that is required.

#### DIFFERENTIAL POOL AND HANDLER OBLIGATIONS

### §1033.60 Computation of handlers' obligations to pool.

The market administrator shall compute each month for each handler defined in §1033.9(a) with respect to each of such handler's pool plants, and for each handler defined in §1033.9(b) and (c), an obligation to the pool computed by adding the following values:

(a) The pounds of producer milk in Class I as determined pursuant to §1033.44, and the pounds of bulk fluid